

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JANIE L. KINSEY and C.H. KINSEY,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO. 1:05CV636-WKW
	)	
C. LANCE GOULD, et al.,	)	
	)	
Defendants.	)	

**ORDER**

In this *pro se* case filed on 7 July 2005, the plaintiffs [“the Kinseys”] sued four defendants: C. Lance Gould, Citifinancial [“Citifinancial”] Associates, J. King [“King”], and TranSouth. The court dismissed C. Lance Gould as a defendant on 1 December 2005 (Doc. # 17). The summons and complaint were issued to Citifinancial and TranSouth on 27 June 2006 (Doc. # 23) and to King on 11 July 2006 (Doc. # 25).

On 29 June 2006, the Clerk received proof of service upon Citifinancial and TranSouth (Doc. # 24); their answers to the complaint were due on 18 July 2006. The summons and complaint issued to King were returned unexecuted with the following notation: “Return to Sender-Undeliverable as Addressed No Forwarding Order on File”.

This case has already been pending for over one year, and the processing of the plaintiff’s claims should now be expedited. Accordingly, it is

ORDERED that on or before 4 August 2006, Citifinancial and TranSouth shall show cause in writing why a default judgment should not be entered against them for their failure

to file an answer to the complaint within 20 days of service, as required by Rule 12(a) of the FED. R. CIV. PRO.<sup>1</sup> The defendants are CAUTIONED that their failure to comply with this order will lead to a default judgment. The court will make no further requests in an attempt to secure their responses.

DONE this 20<sup>th</sup> day of July, 2006.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>The Summons served upon the defendants specifically advised them of the deadline for filing their Answers and cautioned that if they failed to do so, “judgment by default will be taken against you for the relief demanded in the complaint”.